

THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

In the Matter of:

Investigation by the Department of Telecommunications  
and Energy on its own motion pursuant to Chapter 123  
of the Acts of 2006, § 115, to establish the maximum  
rates and fees to be charged by the Massachusetts  
Turnpike Authority to wireless providers for the  
placement and use of wireless attachments in the central  
artery tunnels.

D.T.E. 06-70

**MASSACHUSETTS TURNPIKE AUTHORITY'S PARTIAL ANSWERS TO FIRST SET  
OF INFORMATION REQUESTS**

The Authority hereby responds to the First Set of Information Requests propounded by the Department of Telecommunications and Energy ("DTE") in the above-captioned matter as follows:

**General Objections**

1. The Authority objects to DTE's Information Requests ("DTE's Requests") to the extent that they seek to impose obligations on the Authority different from or in excess of those imposed by the Massachusetts Rules of Civil Procedure.

2. Discovery in this proceeding is ongoing. The Authority expressly reserves the right to supplement or otherwise modify its response to DTE's Requests as it deems necessary and appropriate in light of additional information, documents or materials that are discovered or disclosed in the course of these proceedings.

3. The following responses and objections are based upon information now known or readily obtainable by reasonable inquiry. The Authority has not yet completed its preparation for the hearing in this matter, and, therefore, expressly reserves the right to amend, modify, or supplement the objections and responses stated herein.

4. The Authority objects to the timeframe allowed for its responses to DTE's Request on the ground that it is unduly burdensome and inconsistent with the Procedural Schedule in this matter, which establishes October 23, 2006 as the deadline for completion of discovery.

5. The Authority notes that its participation in these proceedings, including without limitation its responses to DTE's Requests, may be subject to preemption by federal law.

**DTE 1-1      Refer to the Introductory section of the Proposal at 2, where you state that much of the information presented is “preliminary”. Please provide a complete updated proposal.**

The Authority will submit a complete updated proposal by October 10<sup>th</sup>, 2006.

Information provided by Stephen Hines.

**DTE 1-2      Refer to the Introductory section of the Proposal at 4 where you note that the MTA has not yet retained any “experts” and that “information set forth herein was provided by Authority and/or CA/T Project staff.” Please identify by name and title each person responsible for providing the information in each section of the Proposal.**

Section (1): Michael Turcotte (Principal of Strategic Technology Solutions, Inc.), Jim Michielutti (Engineer Professional)

Section (2): Jim Michielutti, Stephen Hines (Chief Development Officer), David Kirk (MAI, CRE)

Section (3): Jim Michielutti, Stephen Hines, David Kirk

Section (4): Jim Michielutti, Stephen Hines

Section (5): Michael Turcotte

Information provided by Legal Counsel.

**DTE 1-3      Please identify any additional approvals required by federal, state, or local laws for construction and operation of the System or for wireless attachments in the central artery tunnels.**

The Authority objects to this request on the grounds that it seeks information that is irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority states that, as noted in the July 10, 2002 Request for Proposals (the "Vendor RFP"), it will be the responsibility of the party designated as the System vendor (the "Selected Vendor") to secure all approvals necessary for the construction of the System; as such, the Authority has not identified such required approvals. The Authority further notes that Federal Highway Administration approval may be required for any agreements pursuant to which the Authority leases or conveys an interest in real estate that it acquired with federal funds.

Information provided by Stephen Hines.

**DTE 1-4      Refer to Section 115 which requires the Department to “compute the percentage of usable space in the tunnels of the central artery which has been or will be allocated to wireless attachments.” Please discuss how the MTA proposes that the Department compute such percentage.**

Subject to and without waiving the General Objections set forth above, the Authority responds to DTE 1-4 as follows. The Authority has not performed any calculations to determine the percentage of useable space in the central artery tunnels that will be allocated to wireless attachments and at this time has no proposal for computing same.

Information provided by Stephen Hines.

**DTE 1-5      Refer to Section 115 which requires the Department to “consider the number of wireless providers that will be participating in the wireless communications system to be established in the tunnels.”**

- (a)      Please discuss whether the MTA has been contacted by any wireless providers regarding installing or operating wireless attachments or providing wireless services in the central artery tunnels. Please identify each such wireless provider by name, type of service, and technology used.**

The Authority objects to Request DTE 1-5 on the ground that it seeks information more properly requested of the Intervenor in this proceeding. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority states that a total of six (6) Carriers responded to the January 30, 2003 Request for Proposals for Carriers (the “Carrier RFP”): Nextel; Cingular; Verizon; Sprint; T-Mobile; and AT&T Wireless. To the best of the Authority’s knowledge, the service types and technologies used by the Carriers are as follows:

Nextel: SMR frequency  
Cingular and Verizon: Cellular frequency  
Sprint, T-Mobile and AT&T Wireless: PCS frequency  
Verizon Wireless: CDMA

Sprint: CDMA  
Cingular: TDMA  
AT&T Wireless (now merged into Cingular): TDMA  
Nextel (now merged into Sprint): iDen  
T-Mobile: GSM

- (b)      Please explain whether the Department should consider other wireless providers (i.e., that have not intervened in this matter) when setting rates and fees for wireless attachments in the central artery tunnels.**

Subject to and without waiving the General Objections set forth above, the Authority states that it is unaware of any other wireless providers that DTE may wish to consider.

Information provided by Stephen Hines.

**DTE 1-6      Please explain in detail the MTA's proposed method conducted or to be conducted for selecting both the System and the Vendor that will construct or install the System. Include in your answer whether the MTA intends to conduct a competitive bidding process for the System or whether the MTA intends to proceed based on results from the RFP issued on July 10, 2002 ("Vendor RFP").**

The Authority objects to DTE 1-6 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority states that in July 2002, it commenced a competitive bidding process to select both the System and the Vendor. Through such competitive bidding process, the Authority preliminarily designated Maverick/Mikom as the Selected Vendor; Maverick/Mikom selected the System to be installed in the tunnels, which satisfied certain design criteria set forth in the Vendor RFP. The Authority does not intend to reopen the Vendor RFP process, but as noted in the Proposal, would be willing to consider an alternative proposal by the Carriers for the installation of new conduit as part of the overall construction of their own system(s).

Information provided by Stephen Hines.

- DTE 1-7      If MTA intends to proceed with the results from the Vendor RFP, please provide the following:**
- (a)      a copy of the Vendor RFP, including without limitation any exhibits, amendments or addenda thereto.**
  - (b)      a list of the person(s) to whom the Vendor RFP was distributed.**
  - (c)      if notice of the Vendor RFP was published, a list of the dates, and publications in which it was published.**
  - (d)      complete copy of each bid, proposal or response received by the Authority in response to the Vendor RFP.**
  - (e)      copies of all related documents including without limitation all correspondence with the respondents to the Vendor RFP.**

The Authority objects to DTE 1-7 on the ground that it seeks information irrelevant to the scope of the Statute. The Authority further objects to DTE 1-7 on the ground that it is unduly burdensome as it seeks a large quantity of documents of which, pursuant to the Instructions set forth in DTE's Responses, the Authority would be required to produce seven (7) copies. Subject to and without waiving the foregoing objections or the General Objections set forth above, the Authority will produce one copy set of the requested materials, to the extent that such materials are within the Authority's possession, custody or control.

Information provided by Stephen Hines.



**DTE 1-8      If MTA intends to proceed with the results from the Vendor RFP, please explain in detail whether the MTA has solicited or intends to solicit updates to the bids, proposals or responses to the Vendor RFP.**

The Authority objects to DTE 1-8 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority received a proposal update from Maverick/Mikom in September 2003 and June 2005. The Authority has not solicited nor does it have any current plans to solicit updates to the bids, proposals, or responses to the Vendor RFP.

Information provided by Stephen Hines.

- DTE 1-9      If MTA intends to proceed with the results from the Vendor RFP, please discuss the following:**
- (a)      the status of the preliminary designation of Maverick/Mikom as the successful vendor, including what communications the MTA has had with Maverick/Mikom regarding its current interest in being the successful vendor.**
  - (b)      whether the preliminary designation was made final and if so, on what date said designation was made. If any contracts have been executed, please provide copies of such contracts.**
  - (c)      why the preliminary designation has not been finalized.**
  - (d)      a description of the MTA's prerequisites or criteria necessary for the MTA to finalize selection of a vendor.**
  - (e)      whether the MTA is still considering or willing to reconsider other proposals (i.e., other responses to the Vendor RFP or new proposals by the Carriers).**

The Authority objects to DTE 1-9 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority responds to DTE 1-9 as follows. Maverick/Mikom has been preliminarily designated at the Selected Vendor pursuant to the Vendor RFP. Since the preliminary designation on January 23, 2003, the Authority and Maverick/Mikom have been in regular communication; based on such communications, it is the Authority's understanding that Maverick/Mikom is willing to perform as the Selected Vendor. The preliminary designation of Maverick/Mikom has not been made final, but will be when and if definitive agreements are signed with the Carriers, as final agreements with the Carriers are a necessary prerequisite to the Authority finalizing its designation of the Selected Vendor and by signing a definitive agreement with Maverick/Mikom. The Authority does not intend to reopen the Vendor RFP process, but as noted in the Proposal, would be willing to consider an alternative proposal by the Carriers for the installation of new conduit as part of the overall construction of their own system(s).

Information provided by Stephen Hines.

**DTE 1-10      Refer to the Proposal at 6 and Exhibit C. Please explain if the proposed System is the same as that proposed by Maverick/Mikom in its response to the Vendor RFP. If so, please explain in detail what changes and updates, if any, have been made to the proposal since 2002. Please include in your answer the dates and reasons for each change or update.**

The Authority objects to DTE 1-10 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority responds to DTE 1-1-10 as follows: The proposed System is substantially the same as proposed by Maverick/Mikom in response to the Vendor RFP. The Authority notes, however, that between January 2003 and June 2005, in consultation with the Carriers, the Authority and Maverick/Mikom proposed certain changes to the System as originally proposed in order to reduce the costs of construction and improve System operating efficiencies. These proposed changes (which remain subject to final confirmation by the parties) were as follows:

- Location of the central office changed to Vent Building 1 versus Vent Building 6. (Vent Building 1 is a better location and will allow access to both I90 and I93.)
- In cases where there is no available conduit, fiber will be installed in and over existing fiber. (Cost efficiency)
- Deletion of redundancy. (Cost efficiency)
- Deletion of WLAN. (Cost efficiency)

Information provided by Michael Turcotte.

**DTE 1-11      Refer to Exhibit C of the Proposal. Please explain why certain sections of the Proposal have been crossed out.**

The Authority objects to DTE 1-11 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority states that since the initial submission of the System proposal, it determined that as a means of reducing the construction time and the cost of the System, it would not require the installation of System components dedicated to public safety equipment. (The Authority has already installed a public safety system independently.) The sections of Exhibit C that are crossed out pertain to the previously required public safety elements of the System.

Information provided by Michael Turcotte, Stephen Hines.

**DTE 1-12** Please discuss whether the system will be able to accommodate other types of wireless services or providers that may use other frequencies and or other types of technology. Specifically, please include discussion of the following:

- (a)** whether any other wireless providers or services (e.g., public safety, satellite radio, WiFi, AM/FM broadcast) are currently operating in the central artery tunnels.
- (b)** whether the MTA plans or anticipates that other wireless providers or services will seek to offer wireless services in the central artery tunnels.
- (c)** whether the System will be able to accommodate other providers or services including without limitation:
  - (i)** public safety
  - (ii)** additional CMRS providers
  - (iii)** AM/FM broadcast
  - (iv)** satellite radio
  - (v)** WiFi
  - (vi)** AWS frequencies currently being auctioned
  - (vii)** 700 MHz planned to be auctioned
  - (viii)** WiMAX
  - (ix)** EVDO

The Authority objects to DTE 1-12 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority responds to DTE 1-13 as follows: With respect to subsection (a), the Authority notes that public safety (installed by the Authority independent of the CA/T Wireless Project) and AM/FM broadcast are currently operating in the central artery tunnels. With respect to subsection (b), the Authority does not currently plan or anticipate that other wireless providers or services will seek to offer wireless services in the central artery tunnels. With respect to subsection (c), the Authority refers DTE to Exhibit C of the Proposal (Maverick/Mikom's System Design) for a description of the System and its capabilities.

Information provided by Michael Turcotte.

**DTE 1-13      Refer to Exhibit C of the Proposal labeled "System Design" at 7-12 which discusses proposed System Dual-Band 800/1900 operation and capacity. Please explain, in layman's terms, how capacity will be allocated among the Carriers.**

The Authority objects to DTE 1-13 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority responds to DTE 1-13 as follows: Allocation is necessary due to the fact that the Carriers use different types of technology which use System capacity differently and the desire of the MTA to provide a fair (pro-rata) allocation of System capacity to each Carrier because each Carrier was paying a pro-rata share of System construction costs. To address this issue, Mikom, based on its knowledge of the industry, developed the "Capacity Element" concept – a formula which attempts to equalize the various technologies to a common element. Per Mikom's formula, a capacity element is a downlink and uplink pair of channels/carriers used for mobile communications, and shall equal, depending upon a Carrier's particular modulation technology or technologies, the following: (i) one (1) 1.25 MHz CDMA (IS-95) carrier PN; (ii) one (1) 200 kHz GSM/EDGE/GPRS channel; (iii) three (3) 30 kHz TDMA (IS-136) channels; (iv) three (3) 25 kHz analog channels; (v) three (3) 25 kHz iDEN channels; or (vi) one-fifth (1/5) UMTS 3G carrier. This definition was developed solely by Mikom (without input by the Authority) and was discussed in detail with all of the wireless providers; it is the Authority's understanding that each Carrier was comfortable with the Capacity Element formula.

To implement the formula in connection with the System, Mikom considered the equipment (called remote units) that would be installed in the I-90 and I-93 tunnels. It determined that with forty different locations and two remote units per location, there would be a total of eighty total remote units, with finite capacity. Mikom determined that the total amount of Capacity Elements in the remote units at each location was as follows: thirty-two (32) Capacity Elements for the SMR frequency band, thirty-two (32) Capacity Elements for the Cellular frequency band and sixty-four (64) Capacity Elements for the PCS frequency band (32 per Remote Unit).

As part of each Carrier Lease, the MTA planned to allow each Carrier (a) to use up to, but not more than, sixteen (16) Capacity Elements per remote unit location and (b) to utilize Capacity Elements in different frequency bands provided that it did not conflict or interfere with another Carrier's use of any remote unit in the System.

Information provided by Michael Turcotte.

**DTE 1-14      Refer to the Proposal at 4 under No. (1) (description of useable space . . .) where the MTA notes that it has not performed an inventory to determine the actual amount of usable space. Please explain if the MTA intends to conduct such an inventory and when it intends to do so. If the MTA does not plan to conduct such an inventory, please explain if the MTA intends to rely on the projections outlined in Exhibit A or how the MTA intends to evaluate the space available for the System.**

Subject to and without waiving the General Objections set forth above, the Authority states that it expects that the Selected Vendor will evaluate the space available for the System at or prior to actual System installation and does not intend to conduct its own such evaluation.

Information provided by Stephen Hines.

**DTE 1-16      Refer to the Background section of the Proposal at 3 where the MTA states that Maverick/Mikom's current proposal contemplates that it will cost \$10,000,000 to install the System. Does this figure reflect the estimate in Maverick/Mikom's original proposal in response to the Vendor RFP or is has this figure been more recently updated? If this figure has been updated, please provide the date of that update.**

The Authority objects to DTE 1-16 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority states that the \$10,000,000 estimate is an updated figure provided by Maverick/Mikom in June 2005.

Information provided by Michael Turcotte.



**DTE 1-18      Refer to the Background section of the Proposal at 4, where the MTA notes that the original Carrier RFP proposed a base rent of \$7.92 per linear foot. Over what period was this rate (i.e., \$7.92 per linear foot per year? per month?)? How many linear feet of tunnel was assumed in that calculation?**

Subject to and without waiving the General Objections set forth above, the Authority states that the original Carrier RFP proposed a base rent of \$7.92 per linear foot per year, adjusted by CPI annually. No amount of linear feet of tunnel was assumed in that calculation.

Information provided by Stephen Hines.

**DTE 1-19      Refer to the base rent figure of \$7.92 per square [sic] foot cited on Page 4. Please provide copies of any contracts that are currently in force that are based on that rate.**

The Authority objects to DTE 1-19 on the grounds that it seeks information irrelevant to the scope of the Statute and is unduly burdensome as it seeks a large quantity of documents of which, pursuant to the Instructions set forth in DTE's Requests, the Authority would be required to produce seven (7) copies. Subject to and without waiving the foregoing objections or the General Objections set forth above, the Authority will provide one copy of each of any contracts currently in force that are based on a rate of \$7.92 per linear foot which are in the Authority's possession, custody or control.

Information provided by Stephen Hines.

**DTE 1-20      Refer to the base rent figure of \$7.92 per square [sic] foot cited on Page 4. Please provide any documentation of cost studies that underlie that figure. Please also provide a narrative description of how that number was derived and the components that compromise that number.**

The Authority objects to DTE 1-20 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority states that the base rent figure of \$7.92 per linear foot was the product of negotiations with Carriers that occurred in 1998; the Authority is unaware of any cost studies underlying that figure.

Information provided by Stephen Hines.

**DTE 1-21      Please discuss whether or not the MTA has studied any wireless systems and/or the costs of such systems installed in tunnels in other jurisdictions. If so, please provide all documents regarding such studies and the information obtained regarding such systems and their costs.**

The Authority objects to DTE 1-21 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority states that it has not studied any wireless systems and/or the costs of such systems installed in tunnels in other jurisdictions.

Information provided by Stephen Hines.

**DTE 1-22      Please provide all documents concerning the costs and rates charged by the MTA for construction and operation of wireless communications systems in the MTA's other tunnels (e.g., Sumner, Callahan, Ted Williams, Prudential), including without limitation all lease or license agreements, construction contracts, equipment purchase contracts and all invoices.**

The Authority objects to DTE 1-22 on the ground that it seeks information irrelevant to the scope of the Statute. Subject to and without waiving the foregoing objection or the General Objections set forth above, the Authority refers the Department to the documents produced in response to DTE 1-19 for information regarding lease rates charged in the Authority's other tunnels. With respect to the costs of such systems, the Authority notes that each Carrier installed its own system in the Authority's other tunnels, at its own expense; therefore, the Authority has no documents concerning the cost of construction or operation of such systems.

Information provided by Stephen Hines.

**DTE 1-23      Refer to the Proposal at 4-5 under No. (2) (The Authority's proposed rates . . .) where the MTA proposes to recoup the Total Cost upon execution of agreements with the participating Carriers. Please clarify this statement. Does the MTA propose that each of the Carriers pay their share of the Total Cost upon execution of a lease or license agreement (i.e., before the construction of the System)?**

Subject to and without waiving the General Objections set forth above, the Authority states that it proposes that each Carrier pay its share of the Total Cost upon execution of a lease or license agreement (i.e., before the construction of the System). To the extent that the Carriers would prefer to pay such cost over time, the Authority would be prepared to accept incremental repayment of the Total Cost over the term of a negotiated agreement with each Carrier.

Information provided by Stephen Hines.

**DTE 1-25** Refer to the Proposal at 4-5 under No. (2) (The Authority's proposed rates. . . ) where the MTA estimates that "its costs associated with construction *operation and maintenance*" (emphasis added) will total approximately \$15,008,968.95. Please provide a breakout of only those costs for ongoing operation and maintenance of the System. Please explain the period of time for which operation and maintenance costs are included in this figure. Please explain the MTA's proposal for recovering operation and maintenance costs beyond this time period.

Subject to and without waiving the General Objections set forth above, the Authority responds to DTE 1-25 as follows: The Authority estimates that costs associated with operation and maintenance of the System will be approximately \$68,000. The foregoing costs are anticipated to be incurred over the first five months after the System is installed. The Authority expects that the bulk of System operations and maintenance thereafter will be conducted by the Selected Vendor and therefore does not have a proposal for recovering operation and maintenance costs beyond this time period.

Information provided by Jim Michielutti.

**DTE 1-27      Refer to the Proposal at 5 under No. (3) (the method used to calculate . . . ). Does the MTA anticipate that all the Carriers will sign agreement(s) to use the System or provide wireless services in the central artery tunnels? If one or more Carriers does not participate, what effect will this have on the cost recovery and estimated annual rate?**

Subject to and without waiving the General Objections set forth above, the Authority states that it expects that each participating Carrier will sign an agreement to use the System and/or provide wireless services in the central artery tunnels. In the event that one or more Carriers do not participate, it will have no impact on the Authority's Total Cost (or its expected recovery thereof), except to the extent that it may reduce the amount of space needed in the Central Office and therefore the portion of Total Costs attributable to that element. The estimated annual rate would not be affected by one or more Carrier's failure to locate in the central artery tunnels.

Information provided by Stephen Hines.



**DTE 1-32      Refer to the Proposal Exhibit B-2, regarding Space within Central Office at Vent Building 6. Please explain whether the MTA anticipates that the Successful Vendor and/or the Carriers will require use of the entire 2,264 square feet that is available.**

Subject to and without waiving the General Objections set forth above, the Authority states that it does not know whether the Successful Vendor and/or the Carriers will require use of the entire 2,264 square feet that is available within the Central Office in Vent Building 6.

Information provided by Stephen Hines.

**DTE 1-34      Refer to the Proposal Exhibit B-2, regarding outside consultants fees to date. Please identify all outside consultants hired to date. For each consultant, please provide a description of the services rendered and a copy of the consultant's curriculum vitae or summary of the consultant's qualifications. Please provide copies of all invoices or bills evidencing the cost of such consultants.**

Subject to and without waiving the General Objections set forth above, the Authority responds to DTE 1-34 as follows. The Authority retained Michael Turcotte to assist with the preparation of the Vendor RFP and the evaluation of responses thereto. A copy of his curriculum vitae, scope of work, and relevant invoices are provided herewith. The Authority notes that in its Proposal, Mr. Turcotte's fees have been prorated based on the linear feet of tunnel subject to this proceeding.

Information provided by Stephen Hines.

**DTE 1-36**     **Refer to the Proposal Exhibit B-2, regarding projected outside consultant fees.**

- (a)     To the extent known, please identify all anticipated consultants and provide all documents evidencing such projected costs (e.g., estimates). Please identify the fields or area of expertise in which the MTA anticipates hiring outside consultants.**
- (b)     Please explain the method used to calculate the projected fees including all relevant assumptions.**

Subject to and without waiving the General Objections set forth above, the Authority responds to DTE 1-36 as follows. The Authority expects that Michael Turcotte will be retained to assist with preconstruction coordination and project management in connection with System installation in the central artery tunnels; Mr. Turcotte's qualifications are described in DTE 1-34. His projected fees are based on an estimate provided by Mr. Turcotte, a copy of which is submitted herewith. The Authority notes that in its Proposal, Mr. Turcotte's projected fees have been prorated based on the linear feet of tunnel subject to this proceeding. The Authority also expects to retain legal counsel to assist with the facilitation of participating Carrier connections to the System. Based on past experience with hiring legal counsel to perform work of this nature, the Authority estimates that legal fees will be approximately \$150,000.

Information provided by Stephen Hines.

**DTE 1-37      Refer to the Proposal Exhibit B-2, regarding projected Authority staff time.**

- (a)      Please provide the total number of employees that will be dedicated to coordinating the installation and construction of the System as well as ongoing monitoring and maintenance. In your answer, please identify such employees by title, position, or field of expertise.**
- (b)      Please indicate whether such employees will be dedicated exclusively to the System or whether they will also have other duties. If the latter, please estimate the percentage of each employees' time (broken down by title, position, or field of expertise) that will be dedicated to the System.**
- (c)      Please explain the methodology used to calculate the estimated person hours dedicated to the System.**
- (d)      Please explain how the MTA determined the average hourly rate of \$100.00. Please provide all documents and calculations used to determine this rate. Please provide the hourly wage or salary of each person identified in response to part (a) above.**

Subject to and without waiving the General Objections set forth above, the Authority states that its calculations of projected Authority staff time were based not upon a total number of employees, but rather the total number of employee hours that will be required to complete the tasks associated with the installation, construction, maintenance and monitoring of the System. The Authority is unable to identify specific employees and/or contractors who have performed or will perform these tasks. As such, the Authority is unable to respond to subsections (a) and (b). Experienced Authority personnel familiar with the System estimated the number of person hours necessary to perform the necessary tasks in connection therewith. The hourly cost represents a blended rate of Authority personnel who are assumed to be involved with the installation, construction, maintenance and monitoring of the System.

Information provided by Jim Michielutti.

**DTE 1-38**     **Refer to DTE 1-13. If capacity is not allocated on a pro-rata basis, please explain how MTA proposes to allocate costs among Carriers allocated disproportionate capacity. If capacity will be allocated on a pro-rata basis, please explain how the MTA proposes to address needs for additional capacity by individual Carriers.**

Subject to and without waiving the General Objections set forth above, the Authority refers the Department to its response to DTE 1-13.

Information provided by Michael Turcotte.

**DTE 1-43      Refer to the Proposal at 4. Is the MTA able to disclose the rate negotiated by the three Carriers? If so, what was this rate?**

Subject to and without waiving the General Objections set forth above, the Authority states that the rate negotiated by the three Carriers was \$7.92 per linear foot, per year, adjusted by CPI.

Information provided by Stephen Hines.

**DTE 1-44     If one or multiple carriers decided to contract for service, in addition to paying a pro-rata share of construction costs, would the Carriers then, in addition, be subject to the \$7.92 figure cited on Page 4?**

Subject to and without waiving the General Objections set forth above, the Authority's response to DTE 1-44 is yes.

Information provided by Stephen Hines.

**DTE 1-47      Will the Carriers be the sole source of cost recovery for building and maintenance? If not, please list additional sources and their contribution, or expected contributions.**

Subject to and without waiving the General Objections set forth above, the Authority states that the Carriers will be the sole source of cost recovery for building and maintenance.

Information provided by Stephen Hines.